

**REMARKS**

Claims 1-27 are pending in this application. Reconsideration of the application is respectfully requested in light of the following remarks.

The Office Action rejects claims 1-13, 15-20, 22 and 24-27 under 35 U.S.C. §103(a) over U.S. Patent No. 5,825,869 to Brooks. This rejection is respectfully traversed.

The Office Action asserts that Brooks discloses each element recited in independent claims 1, 5, 7 and 25-27. However, Applicants respectfully submit that Brooks does not disclose:

1. A document feature extraction part that extracts a plurality of documents generated by one operator from said document management part, as recited in claims 1 and 25;
2. A job feature extraction part that extracts features of jobs of said operator by detecting common features from a frequency of occurrence of terms in the plurality of documents extracted by said document feature extract part, as recited in claims 1 and 25;
3. A task management part that analyzes job order relations, including authority levels of responsible operators, based on electronic data transmitted/received among operators, and manages information on the job order relations, as recited in claims 5 and 26; or
4. A job feature extraction part that extracts features of jobs of the operators, and generates a job feature management table including the names and roles of responsible operators, as recited in claims 7 and 27.

**Claims 1 and 25**

In the Amendment filed October 23, 2003, Applicants argued that the Brooks invention does not teach extracting a plurality of documents generated by one operator. In

response, the Office Action asserts that the Brooks invention does extract data from more than one source in the functionality of extracting data from résumés and from call management preferences from the particular individuals who are placing the calls. Therefore, the Office Action asserts it would have been obvious for one of ordinary skill in the art to modify a device that extracts features from a plurality of sources one of which is a document to extract features from a plurality of sources where more than one source is a document. However, Applicants maintain that Brooks fails to disclose a plurality of sources where more than one source is a document generated by one operator.

The Office Action appears to identify the second document as the "call management preferences from the particular individuals who are placing the calls." However, these call management preferences are not identified as a document, and they are clearly not generated by the one operator. Even the résumé is not disclosed by Brooks to be generated by the operator to which it corresponds. According to column 5, lines 32-35, "The resume includes both the level of ability achieved in each skill, ...and the levels of the call-management preferences for the agent, i.e. the importance that the system administrator assigns to the skills of the agent." (emphasis added.) Therefore, not even the résumé in the Brooks reference, appears to be "generated by one operator."

Furthermore, there is absolutely no suggestion or motivation found in Brooks to modify the Brooks invention to extract a plurality of documents generated by one operator, as Brooks deals primarily with distributing calls among a collection of agents based upon the individual call handling capabilities of the agents, and not on the documents generated by the agents. Therefore, to modify the Brooks invention to extract a plurality of documents generated by one operator, would change the principle of operation in the Brooks invention. According to MPEP §2143.01, if the proposed modification or combination of the prior art

would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims *prima facie* obvious.

The October 23, 2003 Amendment further argued that Brooks does not disclose or suggest a "job feature extraction part that extracts features of jobs of said operator by detecting common features from a frequency of occurrence of terms in the plurality of documents extracted by said document feature extraction part." The Office Action asserts in response that Brooks teaches that the attributes of individual operators are selected from the first data résumé and from the second data caller interactive voice response or a combination of both. However, the attributes of individual operators are not equivalent to the features of jobs of said operator and these features are not extracted by detecting common features from a frequency of occurrence of terms in the plurality of documents generated by one operator. The Office Action appears to suggest that the first document is the first data résumé, and that a second document is the second data caller interactive voice response. However, the second data caller interactive voice response is neither a document nor is it generated by the one operator that allegedly generated the first data résumé.

Therefore, Brooks does not disclose or suggest each and every feature recited in claims 1 and 25, and the Office Action has failed to make out a *prima facie* case of obviousness.

#### Claims 5 and 26

The Office Action asserts that Brooks teaches a task management part that analyzes job order relations including the authority level of operators, as it teaches the use of "priority classes and priority levels" (col. 12, line 51). However, the element of "authority levels of responsible operators" implies a ranking in terms of authority of the various operators relative to one another, whereas the priority classes and priority levels disclosed by Brooks corresponds to a priority ranking of the incoming calls, not the operators. For example, as

disclosed in column 12, lines 49-52 "the priority level for a particular call will increase as time elapses. Calls with higher priority class and higher priority levels are handled first, thus minimizing the wait time for calls in the queue." There is absolutely no reference to the authority level of operators in this cited text, and therefore this element is not disclosed or suggested in Brooks.

Claims 7 and 27

The Office Action asserts that Brooks teaches a job feature management table, including the names and roles of responsible operators, in Figure 3 and in column 10, line 11. However, Figure 3 and column 10 refer only to a "skill expression table." A "skill expression" is further defined in column 10, lines 12-20 as "a simple formalism for stating the skills that are required or advantageous to processing the associated call." Therefore the skill expression is associated with the call, not with an operator. The skill expression expresses a requirement for an agent having a certain set of skills; it does not include the names and roles of operators assigned to the job.

In view of the foregoing, Brooks does not disclose the subject matter recited in independent claims 1, 5, 7 and 25-27. Claims 2-4, 8-13, 15-20, 22 and 24 depend from claim 1 and claim 6 depends from claim 5. Accordingly, Brooks does not disclose or suggest the subject matter recited in claims 1-6, 8-13, 15-20, 22 and 24-26. Applicants respectfully request that the rejection of claims 1-13, 15-20, 22 and 24-27 under 35 U.S.C. §103(a) be withdrawn.

The Office Action rejects claims 14, 21 and 23 under 35 U.S.C. §103(a) over Brooks in view of U.S. Patent No. 6,038,544 to Machin. This rejection is respectfully traversed.

The Office Action admits that Brooks "does not specifically teach generating graphs, recording voice conversations or allowing the operators to input comments," but that Machin teaches an operator performance evaluation system and method that rates and ranks operators.

Machin also "plots performance data on a graph, allows operators to input additional information as remarks, and also receives and records input and conversation as voice data in digital format." However, Applicants respectfully submit that Machin does not "detect common features from the frequency of occurrence of terms in the plurality of documents extracted by said document feature extraction part," as recited in claim 1. Therefore, Machin does not remedy this deficiency of Brooks with respect to claim 1.

Claims 14, 21 and 23 depend from claim 1. Therefore, the subject matter recited in claims 14, 21 and 23 is not disclosed by Machin or Brooks, either alone or in combination. Applicants therefore respectfully request that the rejection of claims 14, 21 and 23 under 35 U.S.C. §103(a) be withdrawn.

In view of the foregoing, Applicants submit that this application is in condition for allowance. Favorable reconsideration and prompt allowance of 1-27 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff

Registration No. 27,075

Jaquelin K. Spong

Registration No. 52,241

JAO:JKS/scg

Date: April 6, 2004

**OLIFF & BERRIDGE, PLC**  
**P.O. Box 19928**  
**Alexandria, Virginia 22320**  
**Telephone: (703) 836-6400**

DEPOSIT ACCOUNT USE

AUTHORIZATION

Please grant any extension  
necessary for entry;

Charge any fee due to our  
Deposit Account No. 15-0461